IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FIRST DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 3028 of 2005

Between:

Moola Venkata Lakshmi, W/o. Subbareddy,
R/o. Madhavaram Village, Tallur Mandal, Prakasam District.

PETITIONER

AND

1 The Revenue Divisional Officer, Kandukur, Prakasam

District.
2 The Mandal Revenue Officer, Tallur Mandal, Prakasam

District

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue Writ order or direction more particularly one in the nature of Writ of Mandamus, to declare the impugned proceedings dt. 10.2.2005 vide No. RCF/1746/2004 issued by the 1st respondent herein as illegal, arbitrary, unjust and void and consequently set aside the same, and to grant such other relief or reliefs as this Hon'ble Court deems fit and proper in the

circumstances of the case.

Counsel for the Petitioner:MR.CHINDAM.PRATAP

Counsel for the Respondent No.: GP FOR CIVIL SUPPLIES

The Court made the following :

O R D E R

Petitioner was functioning as a fair price shop dealer at Madhavaram Village, Tallur Mandal, Prakasam District. 1st respondent issued a show cause notice dated 17.9.2004 to the petitioner alleging that she did not supply several quantities of Special Nutrition Scheme rice to the school in the village, which was earmarked for mid day meals. The petitioner submitted the explanation stating that she handed over the concerned records to the Mandal Revenue Officer and she is not in possession of any such material. Taking the same into account, the 1st respondent cancelled the authorization of the petitioner through his letter dated 10.2.2005. The same is challenged in this writ petition.

2 . Heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies.

3 . Though the learned counsel for the petitioner urged several grounds on merits and of law, this Court is not inclined to entertain the writ petition, for the simple reason that an appeal is provided under Clause 20 of A.P. State Public Distribution System (Control) Order 2001. Petitioner can avail the remedy and the appellate authority would be in a better position to appreciate the matter, on examination

of the record.

4. Hence the writ petition is dismissed, leaving it open to the petitioner to avail the remedy of appeal.

5. If the petitioner avails such remedy, the appellate authority shall dispose of the same, as early as possible.

6. No order as to costs.

AVS ----------

21.02.2005

To.

1 The Revenue Divisional Officer, Kandukur, Prakasam District.

2 The Mandal Revenue Officer, Tallur Mandal, Prakasam District.

3. Two C.Cs. to G.P. for Civil Supplies. (out).

4. Two C.D. copies.